

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 03-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10411 (PBS)

GARY B. FILLER and LAWRENCE
PERLMAN, Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10501 (PBS)

**DEFENDANT DEXIA BANK BELGIUM'S UNOPPOSED MOTION FOR LEAVE TO
FILE OPPOSITION PAPERS UNDER SEAL**

Defendant Dexia Bank Belgium ("Dexia") hereby moves this Court pursuant to Local Rule 7.2, for orders authorizing the filing under seal, in each of the above-captioned actions, of: (1) the Memorandum of Law in Opposition to Plaintiffs' Motion to Compel Depositions of Jean-Paul Cloes, Catherine Decoutere, Ivan De Coen, Joris Van Helleputte, and Nadia Van Hove dated May 17, 2006 ("Memorandum of Law") and (2) the Declaration of Jeff E. Butler dated May 17, 2006, together with the exhibits thereto ("Butler Declaration").

In support of this unopposed motion, Dexia states as follows:

1. On May 31, 2005, the Court entered an Order Governing the Treatment of Confidential Information in each of the above-captioned actions (the "Confidentiality Order"). A true and correct copy of the Confidentiality Order is annexed hereto as **Exhibit A**. Under the terms of the Confidentiality Order, memoranda of law and declarations containing or disclosing materials that a producing party has designated as "Confidential Information" must be filed with the Court under seal.

2. On May 3, 2006, Plaintiffs filed with this Court a Motion for Leave to File Motion Papers Under Seal and served Dexia with copies of the underlying motion papers.

3. On May 17, 2006, Dexia filed the instant motion to file its Memorandum of Law in Opposition to Plaintiffs' Motion to Compel Depositions of Jean-Paul Cloes, Catherine Decoutere, Ivan De Coen, Joris Van Helleputte, and Nadia Van Hove under seal.

4. On May 17, 2006, Dexia served its Memorandum of Law in Opposition to Plaintiffs' Motion to Compel Depositions of Jean-Paul Cloes, Catherine Decoutere, Ivan De Coen, Joris Van Helleputte, and Nadia Van Hove and the Butler Declaration on all counsel for plaintiffs. *See* Certificate of Service annexed hereto as **Exhibit B**.

5. The Memorandum of Law and Declaration have not been filed with the Court because both documents contain quotations from and characterizations of documents designated confidential under the terms of the Confidentiality Order.

Certification Under Fed. R. Civ. P. 37(a)(2)(b), and Local Rules 7.1(a)(2) and 37.1(b)

Pursuant to Local Rules 7.1(a)(2) and 37.1(b), undersigned counsel hereby certifies that counsel for Plaintiffs does not oppose the instant motion seeking to file papers in opposition to the Motion to Compel under seal.

WHEREFORE, Dexia respectfully requests that this Court enter an order authorizing the filing under seal, in each of the above-captioned actions, of: (1) the Memorandum of Law in Opposition to Plaintiffs' Motion to Compel Depositions of Jean-Paul Cloes, Catherine Decoutere, Ivan De Coen, Joris Van Helleputte, and Nadia Van Hove dated May 17, 2006 and (2) the Declaration of Jeff E. Butler dated May 17, 2006, together with the exhibits thereto.

Dated: May 17, 2006

Respectfully submitted,

MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO

By: /s/ Breton Leone-Quick
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Counsel for Dexia Bank Belgium

Certificate of Service

I, Breton Leone-Quick, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 17, 2006.

/s/ Breton Leone-Quick

Dated: May 17, 2006